

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Greg Finch	Team: Squad #14	CCRB Case #: 201706328	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 07/29/2017	Location of Incident: Playground outside of § 87(2)(b)	Precinct: 40	18 Mo. SOL 1/29/2019	EO SOL 1/29/2019	
Date/Time CV Reported Sun, 07/30/2017 12:19 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 08/03/2017 11:00 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. Officers			PSA 7
2. LT Eric Dym	00000	933762	PSA 7

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM John Olsen	16266	957920	PSA 7
2. POM Brian Greaige	13811	960616	PSA 7
3. POF Katlin Murphy	10259	960988	PSA 7
4. POM Mike Suarez	05841	955540	PSA 7
5. POM Felix Baez	04759	953654	PSA 7
6. POM Pasquale Dethomas	11005	955873	PSA 7
7. POM Jeremiah Hass	00368	940240	PSA 7
8. POM Robert Ferguson	24681	934849	PSA 7

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Officers used physical force against § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)
B. Officers	Force: Officers used physical force against § 87(2)(b)	§ 87(2)(b)
C. LT Eric Dym	Force: Lieutenant § 87(2)(b) Dym used pepper spray against § 87(2)(b)	§ 87(2)(b)

Case Summary

On July 30, 2017, § 87(2)(b) called the IAB Command Center to file this complaint on behalf of her neighbors, § 87(2)(b) and § 87(2)(b). She alleged that force was used against them as they were being taken into police custody, but made no additional allegations. That same day, Sgt. Desalvo of PSA8 called the IAB Command Center to report that in addition to § 87(2)(b) and § 87(2)(b) were also arrested (he did not mention § 87(2)(b) that § 87(2)(b) was pepper-sprayed, and that § 87(2)(b) sustained an injury prior to his interactions with officers that required medical attention. On August 3, 2017, the CCRB received the case.

On August 7, 2017, § 87(2)(b) provided a phone statement to the CCRB. § 87(2)(b) scheduled an interview at the CCRB for August 16, 2017. However, on August 15, 2017, § 87(2)(b) called the CCRB and cancelled her appointment due to a family illness. She rescheduled it for August 21, 2017. On August 21, 2017, § 87(2)(b) text messaged the undersigned investigator and requested he call her. When called that same day, § 87(2)(b) said she wished to withdraw her complaint because the victims' attorneys advised them not to participate, so she did not wish to proceed. § 87(2)(b) said that she was withdrawing her complaint of her own free will and was not coerced by any member of the CCRB or NYPD to do so. § 87(2)(b)'s withdrawal decision can be found in § 87(2)(g), beginning at the 00:55 mark. Investigative Manager Laura Kastner reviewed the withdrawal audio and confirmed it adhered to agency standards. On August 21, 2017, a withdrawal letter was mailed to § 87(2)(b) and will be added to the case file upon receipt.

Between August 9, 2017 and August 31, 2017, searches of the following databases were conducted for § 87(2)(b): the CCRB's Complaint Tracking System, the NYC Department of Motor Vehicles, LexisNexis, CLEAR, the NYPD's Booking and Arraignment Disposition System and COLE. All of these attempts yielded a total of five potential phone numbers, two potential mailing addresses, and two potential email addresses for § 87(2)(b). Between August 9, 2017 and August 15, 2017, calls placed to two of the additional potential phone numbers for § 87(2)(b) determined them to be wrong numbers. Between August 7, 2017 and August 25, 2017, five calls were placed to each of the remaining three phone numbers for § 87(2)(b). One voicemail was left, and the other 14 calls rang out or were not in service. Between August 7, 2017 and August 31, 2017, three unreturned emails were sent to § 87(2)(b). Between August 7, 2017 and August 31, 2017, three unreturned letters were mailed to each of § 87(2)(b) addresses, and three unreturned emails were sent to him. Between August 21, 2017 and August 30, 2017, three unreturned phone calls were placed to § 87(2)(b) attorney at § 87(2)(b), and three voicemails were left.

Between August 9, 2017 and August 31, 2017, searches of the following databases were conducted for § 87(2)(b): the CCRB's Complaint Tracking System, the NYC Department of Motor Vehicles, LexisNexis, CLEAR, the NYPD's Booking and Arraignment Disposition System and COLE. All of these attempts yielded a total of four potential addresses and two potential phone numbers for § 87(2)(b). Between August 7, 2017 and August 25, 2017, 16 calls were placed to § 87(2)(b)'s phone numbers, and all were unresponsive or disconnected. Between August 7, 2017 and September 8, 2017, three unreturned letters were mailed to each of § 87(2)(b)

§ 87(2)(b)'s potential addresses. On August 31, 2017 and September 14, 2017, two unreturned phone calls were placed to § 87(2)(b)'s attorney at § 87(2)(b), and two voicemails were left.

Between August 9, 2017 and August 31, 2017, searches of the following databases were conducted for § 87(2)(b): the CCRB's Complaint Tracking System, the NYC Department of Motor Vehicles, LexisNexis, CLEAR, the NYPD's Booking and Arraignment Disposition System and COLE. All of these attempts yielded a total of one potential address, and four potential phone numbers for § 87(2)(b). Between August 7, 2017 and August 17, 2017, two unreturned letters were mailed to § 87(2)(b) address. Between August 9, 2017 and August 25, 2017, 20 calls were placed to § 87(2)(b) phone numbers, and all were disconnected or not accepting incoming calls. Between August 21, 2017 and August 30, 2017, three unreturned phone calls were placed to § 87(2)(b) attorney at § 87(2)(b), and three voicemails were left.

The IAB log provided no date of birth or contact information for § 87(2)(b). On August 31, 2017, a search of the NYPD's Booking and Arraignment Disposition System returned negative results for an arrest for § 87(2)(b) by PSA8 on the incident date. Because § 87(2)(b) has a common name, agency resources could not be used to identify him.

§ 87(2)(b), § 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Squad:

Investigator:	_____ Signature	_____ Print	_____ Date
Squad Leader:	_____ Title/Signature	_____ Print	_____ Date
Reviewer:	_____ Title/Signature	_____ Print	_____ Date